

NOTICE OF REFERENDUM

Dane County, Wisconsin

November 2, 2010

NOTICE IS HEREBY GIVEN, that at an election to be held in the County of Dane, on November 2, 2010, the following proposed Resolution of the Dane County Board, will be submitted to a vote of the people:

RES. 70, 10-11

REFERENDUM ON MEDICAL MARIJUANA

Current law prohibits the manufacture, distribution, and delivery of marijuana and the possession of marijuana with intent to manufacture, distribute, or deliver it. Additionally, current law prohibits a person from possessing or attempting to possess marijuana. Depending on the amount of marijuana involved, an individual may face fines and potential imprisonment for violating the law.

During the 2009 Wisconsin legislative session, two bills were introduced to establish a medical necessity defense to marijuana-related prosecutions and fines. Assembly Bill 554 (AB 554) and Senate Bill 368 (SB 368) would have allowed a person having or undergoing a debilitating medical condition or treatment to invoke this defense. The bills would have allowed a qualifying patient to invoke this defense if he or she acquires, possesses, cultivates, transports, or uses marijuana to alleviate the symptoms or effects of his or her debilitating medical condition or treatment, but only if no more than the maximum authorized amount of marijuana is involved. Finally, the bills required the Department of Human Services to establish a registry for medical users of marijuana as well as to license and regulate nonprofit corporations that distribute or deliver marijuana to facilitate its use. The bills failed because the legislative session ended before they could be considered.

Fourteen states across the country have enacted laws that legalized medical marijuana, including Alaska, California, Hawaii, Maine, Michigan, Oregon, and Washington. The Wisconsin legislation would have changed state law regarding marijuana, but would not have affected federal law which prohibits persons from manufacturing, delivering, or possessing marijuana.

There are individuals suffering from serious illnesses who desperately need cannabis to manage their symptoms and they cannot find legal relief in Wisconsin. To further the public debate on whether the State of Wisconsin should allow the use of marijuana for medical purposes, Dane County voters should have the opportunity to voice their opinion via a referendum.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors places the following advisory referendum on the ballot for the November 2010 election:

"Should the Wisconsin Legislature enact legislation allowing residents with debilitating medical conditions to acquire and possess marijuana for medical purposes if supported by their physician?"

BE IT FINALLY RESOLVED that the Dane County Clerk shall take all necessary steps to implement this resolution.

The question will appear on the ballot as follows:

"Should the Wisconsin Legislature enact legislation allowing residents with debilitating medical conditions to acquire and possess marijuana for medical purposes if supported by their physician?"

EXPLANATION

A "Yes" vote means the Legislature should enact legislation allowing residents with debilitating medical conditions to acquire and possess marijuana for medical purposes if supported by their physician. A "No" vote means the Legislature should not enact legislation allowing residents with debilitating medical conditions to acquire and possess marijuana for medical purposes if supported by their physician"

Done in the County of Dane, on
November 1, 2010.

Robert Ohlsen, Dane County Clerk